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**MEMO ENDORSED**

February 7, 2013

**Via Next Day Air**

Honorable Kenneth M. Karas  
United States District Judge  
Southern District of New York  
United States Courthouse  
300 Quarropas Street, Chambers 533  
White Plains, NY 10601

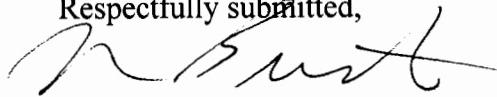
**RE: *Deskovic v. City of Peekskill, et al.*, 07-CV-8150 (KMK)(GAY)**  
***McGarr v. City of Peekskill, et al.*, 07-CV-9488(KMK)(GAY)**

Dear Judge Karas:

I write on behalf of Plaintiff Jeffrey Deskovic in response to the February 7, 2013 letter from the Peekskill Defendants regarding Terry Strothers, Kevin Williams, Early Bray, and Bill Badvill.

After consultation with counsel for the Peekskill Defendants, we have come to the following agreement, subject to the Court's approval, regarding those four witnesses. We will provide the Peekskill Defendants with signed HIPAA and Arons authorizations for the four individuals listed above. Any party that contacts any of those four individuals will notify the other party of the fact of that contact and the contact information of the individual contacted. Finally, the parties consent to a limited re-opening of discovery for the purposes of deposing these four individuals (in the event that any party wishes to depose these four individuals). Therefore, we respectfully request that the Court slightly modify its November 28, 2012 Order to permit the depositions of Terry Strothers, Kevin Williams, Earl Bray, and Bill Badvill.

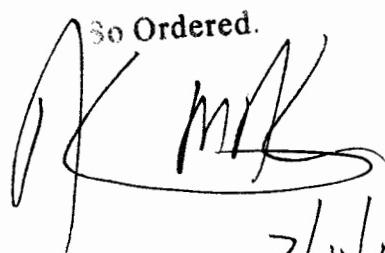
Respectfully submitted,



Nick Brustin

cc: All counsel

The Clerk of the Court  
is respectfully requested  
to docket this letter.

So Ordered.  
  
2/11/13